Teaching Students

Who Are Exceptional, Diverse, and At Risk in the General Education Classroom

Sharon R. Vaughn | Candace S. Bos | Jeanne S. Schumm

SEVENTH EDITION



TEACHING STUDENTS WHO ARE EXCEPTIONAL, DIVERSE, AND AT RISK IN THE GENERAL EDUCATION CLASSROOM

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Preface

This is the seventh edition of *Teaching Students Who Are Exceptional, Diverse, and at Risk in the General Education Classroom*, now in MyEducationLab.

MyEducationLab is Pearson's newest way of delivering our respected content. Fully digital and highly engaging, MyEducationLab offers an immersive learning experience designed for the way today's students read, think, and learn. Enlivening course content with media interactives and assessments, REVEL empowers educators to increase engagement with the course to better connect with students.

MyEducationLab Offers

Dynamic content matched to the way today's students read, think, and learn, including:

- Integrated Videos Integrated within the narrative, videos empower students to engage with concepts and take an active role in learning. MyEducationLab's unique presentation of media as an intrinsic part of course content brings the hallmark features of Pearson's bestselling titles to life.
 - Video Examples include video of educators both in and out of the classroom, students talking about their experiences with adaptive technologies and in-class methods of teaching and learning, and parents discussing resources, adaptive technologies, and strategies they have learned to help their children at home. In each chapter, these skills and strategies tie back to relevant content and learning outcomes. These voices of real teachers telling their own stories about ways they help students, or real students talking about what has been effective for them in the general classroom, help students develop a deeper understanding about the impact of using special education skills and concepts.
 - URLs integrated throughout the text direct students to websites where they can
 enhance their knowledge about relevant topics, skills, tools, and strategies for
 teaching and learning.
- Quizzing and Short-Answer Response Opportunities Located throughout MyEducationLab, quizzing affords students opportunities to check their understanding at regular intervals before moving on. Quizzes are in multiple-choice and short-answer response formats.
 - Check Your Understanding multiple-choice assessment questions test students'
 knowledge of the content they have just read at the end of each major section.
 Feedback for the correct answer is provided.
- Interactive Glossary links bolded key terms in the text to glossary definitions, enabling students to read and comprehend with clarity without skipping concepts they do not understand.

New to This Edition

We have listened to our users and created a text that will be easier to use in the classroom and more engaging for students. The strength of the book continues to be its numerous learning activities addressing both elementary and secondary classrooms. Changes and enhancements include:

 Streamlined content that offers more strategies and more examples that bring our students into the classroom.

- Evidence-based research practices throughout the text that are based on the most current research and instructional strategies.
- A revised and updated Chapter 2 on response to intervention (RTI) or multitiered systems of support (MTSS) reflects the most current research and strategies. In addition, chapters throughout this text integrate and highlight information regarding understanding and using research-based practices within an RTI framework.
- Chapter 4 discusses the use of response to intervention to improve opportunities for linguistically and culturally diverse students and reduce their disproportionate representation in special education programs.
- In Chapter 6, we have significantly updated the information about identifying students with learning disabilities and ADHD. New research, strategies, and resources have also been included.
- Chapter 7 includes an enhanced section on the role of the speech and language
 pathologist as well as including a new strategy on how to describe practices you
 could suggest to the parents of a child with a speech or language disorder to support
 the child's communication.
- Chapter 8, in its discussion of targeting behavior problems, discusses how to implement functional behavioral assessment during any of the tiers of the RTI framework.
 Why and how this works are discussed.
- Chapter 10, "Teaching Students with Intellectual and Developmental Disabilities," has been updated significantly, with new research, sections, strategies, and definitions.
- Integration of the Common Core State Standards in English language arts including reading (Chapter 14), writing (Chapter 15), and listening as well as mathematics (Chapter 16). Specific applications of the standards for students with special needs are provided.

Our Approach

Today's teaching professionals are assuming considerably more responsibility for meeting the educational and behavioral needs of students from diverse backgrounds and with diverse learning needs. Teachers identify students with special needs as their greatest challenges and often their greatest rewards. Unfortunately, many general education teachers feel at a loss for finding strategies to use in educating their exceptional students. They are eager to provide appropriate instruction, yet often feel inadequately prepared to do so. Furthermore, teachers tell us that what they most want to learn are specific instructional practices that will make a difference for diverse learners, and that they want these practices to enhance the learning of all students in their classrooms.

The central theme of this book is that general education teachers can make a difference in the lives of all students, particularly students with special needs, by using the tools and strategies described in this text. What we think is particularly exciting about the recommended practices is that they improve outcomes for all learners in the classroom—not just students with special needs. Our confidence in the effectiveness of these practices comes from two important sources: (a) research documenting their effectiveness with a range of learners, and (b) our ongoing work in classrooms where these practices are successfully implemented. Many teachers whose stories appear throughout this book implement and extend the recommended practices.

Preservice teachers in our university classes, as well as practicing teachers, urged us to do more than describe curriculum adaptations; they encouraged us to provide the step-by-step procedures for how to implement curriculum adaptations in the classroom. After reading this book, prospective teachers will have more than increased knowledge about students with special needs—they will have the tools and confidence to adequately meet all of their students' academic and social needs. In addition to having the necessary background knowledge about individuals with disabilities, we think that users of this book will have the practice knowledge to improve outcomes for all learners in their classroom.

This seventh edition includes updated references to the latest research and legislation, allowing readers to look up the most recent studies on topics of interest. Throughout the text we have added new information and described instructional and behavioral practices that are evidence based. We provide innovative approaches to enhancing the teaching of diverse learners in general education classrooms.

A Focus on Applying Strategies

- Each chapter opens with an Interview that presents a teacher's, student's, or parent's story that directly relates to the central ideas of the chapter. Each of these stories also identifies issues and personal responses that set the tone for the material that follows.
- Each chapter closes with Think and Apply questions, activities, and dilemmas to challenge the reader to integrate and apply the materials presented.

In addition to the organizational features that open and close each chapter, the following features are included within chapters:

Tips for Teachers in every chapter offer specific advice, guidelines for teaching practice, and step-by-step procedures.

How Campus Leadership Team Members Facilitate RTI

Members of the decision-making team facilitate the RTI process in
• Facilitating instructional decision making

- Reviewing progress-monitoring data of students in interventions and for grade levels and the school as a whole.
- Observing classroom lessons to ensure that research-based instruction is occurring.
- · Providing professional development to teachers and other key
- · Assisting with data collection and monitoring.
- Providing material and human resources to implement the RT
- Interpreting screening, progress monitoring, and other assessment data.
- Communicating with key stakeholders to be sure instructional

The 60-Second Lesson features throughout all chapters present brief mini-lessons that provide specific, concrete examples of how a teacher can make a difference for students with disabilities or diverse needs in only 1 minute of time.

60-SECOND LESSON -

HOMEWORK BUDDIES: THINK-PAIR-SHARE

School days can be long for both teachers and students. With so much activity going on, it can be easy for students to forget assignments or forget books or materials they might need to complete homework assignments. This is true for students who are in a self-contained class or in departmentalized classes when students move from room to room.

Activities for All Learners features present sample lessons that include objectives, procedures, and application suggestions for classroom implementation.

Using a Timer to Change Behavior

Purpose: To increase appropriate behavior, such as on-task behavior, and to reduce inappropriate behavior, such as being out of seat

Materials: Kitchen timer

1. Show students the kitchen timer and indicate that you will be using it to cue students to look for on-task behavior in the class Discuss with students what behaviors will be included (e.g., working, completing an assignment, asking a question, reading a text).

- Indicate that the timer will ring at different intervals and that all groups or individuals who are on task when the timer rings will be awarded a point.
- 3. Set the timer initially for a range of times (from 5 to 10 minutes). and then for longer periods of time

Tech Tips provide access to resources that will provide guidelines and advice about tools, skills, and teaching strategies.

Useful Tools for Students with Learning Disabilities

Web Resources for Teachers, Parents, and Students

CHADD (Children and Adults with Attention-Deficit/Hyperactivity Disorder) (www.chadd.org)

Attention Deficit Disorder Association (www.add.org)

LD Online (www.ldonline.org)

KeyboardingEarly on, students who have difficulty with handwriting, either for composition or note-taking—regardless of the reason should be taught keyboarding. The are many excellent computer-based keyboarding tutorials:

MAVIS BEACON TEACHES TYPING from Broderbund (www.mavisbeacon.com)

This ever-popular product keeps users ngaged and motivated through many different games and exercises.

Talking Word-Processing Programs Talking word-processing programs car help young writers by speaking letters

thus providing auditory as well as visual feedback in the writing process.

WRITE: OUTLOUD 6 by Don Johnston Incorporated (www.doniohnston.com)

Search for Write: OutLoud 6 on the Don Johnston, Inc. site. This product provides struggling writers in grades 3 through 12 with auditory tools that will help them write more effectively.

Word-Prediction Software

Students receive a list of possible words after every letter typed and can choose the desired word; offers support for spelling and word choices, and can be individualized with custom word banks and topic dictionaries. Also includes built-in speech recognition

CO:WRITER 7 from Don Johnston Incorporated (www.donjohnston.com)

On the home page for the Don Johnson Inc., click on the Co:Writer 7 tab, then learn more about this wordprediction software

Podcasts

Mobile devices are not just for listening to music. Students can record lectures, download audio files to their devices, and listen to lectures while studying for tests or reviewing and editing notes.

LEARNING ALLY (FORMERLY RECORDINGS FOR THE BLIND AND DYSLEXIC®) (RFB&D) (http://www.learningally.org)

The RFB&D is an organization that provides books and other materials recorded for individuals who have learning disabilities or visual disabilities

iPad/iPod™

- Read2Go
- Typ-O HD
- Sentence Builde
- Dragon Dictation

Support Materials for Instructors

The following resources are available for instructors to download on www.pearsonhighered .com/educators. Instructors enter the author or title of this book, select this particular edition of the book, and then click on the "Resources" tab to log in and download textbook supplements.

INSTRUCTOR'S RESOURCE MANUAL AND TEST BANK 0-13-444784-0

The Instructor's Resource Manual and Test Bank includes suggestions for learning activities, additional Experiencing Firsthand exercises, supplementary lectures, case study analyses, discussion topics, group activities, and a robust collection of test items. Some items (lower-level questions) simply ask students to identify or explain concepts and principles they have learned. But many others (higher-level questions) ask students to apply those same concepts and principles to specific classroom situations—that is, to actual student behaviors and teaching strategies.

POWERPOINT™ SLIDES 0-13-444785-9

The PowerPointTM slides include key concept summarizations that enhance learning. They are designed to help students understand, organize, and remember core concepts and theories.

TESTGEN 0-13-444787-5

TestGen is a powerful test generator that instructors install on a computer and use in conjunction with the TestGen testbank file for the text. Assessments may be created for print or testing online.

TestGen is available exclusively from Pearson Education publishers. Instructors install TestGen on a personal computer (Windows or Macintosh) and create tests for classroom testing and for other specialized delivery options, such as over a local area network or on the web. A test bank, which is also called a Test Item File (TIF), typically contains a large set of test items, organized by chapter and ready for use in creating a test, based on the associated textbook material.

The tests can be downloaded in the following formats:

TestGen Testbank file—PC
TestGen Testbank file—MAC
TestGen Testbank—Blackboard 9 TIF
TestGen Testbank—Blackboard CE/Vista (WebCT) TIF
Angel Test Bank (zip)
D2L Test Bank (zip)
Moodle Test Bank
Sakai Test Bank (zip)

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> —SRV —JSS

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TEACHING STUDENTS WHO ARE EXCEPTIONAL, DIVERSE, AND AT RISK IN THE GENERAL EDUCATION CLASSROOM



Special Education and Inclusive Schooling

Learning Outcomes

- 1.1 Identify the laws, key provisions, and guidelines that govern special education and explain how these laws influence educational practices for individuals with disabilities.
- **1.2** Describe the responsibilities you have as a classroom teacher for students with special needs and the types of practices and adaptations you need to implement.
- 1.3 Discuss No Child Left Behind and its influence on testing accommodations for students with disabilities and the expanded laws regarding IDEIA, including early education and transition, then consider the instructional implications of implementing inclusion and other services provided in the continuum of services for students with disabilities.

INTERVIEW: ELIZABETH DILLER

Elizabeth Diller is a fifth-grade teacher at Cory Elementary School in an urban city in Texas. Elizabeth is an unusual teacher in that she has worked as both a special education teacher and a general education teacher. For the past 2 years, she has served as the lead teacher in a fifth-grade team. What she likes about her job is that she blends her expertise in special education with her new knowledge as a general education curriculum specialist. She assists the other fifth-grade teachers in developing instructional practices and using progress monitoring to inform instruction for all of the fifth-grade students, including those with identified disabilities. She also works with the response-to-intervention (RTI) team to screen and monitor the progress of students who are at risk for reading and math problems. Elizabeth says, "This is the perfect blend of leading classroom teachers to make appropriate adaptations for students with disabilities in their classrooms and having an opportunity to put the practices in place in my own classroom."

Elizabeth has been very successful at keeping students with disabilities in general education classrooms. She also has been a cheerleader for the RTI model of preventing academic difficulties and identifying students for special education in their school. Here is some of her advice for general education teachers working in RTI schools:

- Don't worry if you do not know everything about students with disabilities. Be willing to ask questions and to allow others to help.
 Many instructional practices that are effective with most students are also effective with students with disabilities.
- Remember that a couple of minutes of focused instructional support
 that provides additional opportunities for students with disabilities
 to practice can be very helpful. You don't need to wait until you have
 20 minutes or more, 3 to 5 minutes throughout the day of individual
 guidance, feedback, and support make a big difference.
- Use ongoing progress-monitoring measures in reading and math to inform your instructional decision making.
- Ask the special education teacher, an experienced general education teacher, or the school psychologist to observe students with disabilities in your class. Ask them for advice to improve your instruction.
- Communicate frequently with parents and other professionals. My class publishes a newsletter every other week that is posted on our class website. If parents like, we print the newsletter and send it home. I also send home weekly notes to parents of students with disabilities to inform them of their child's progress. I frequently meet with other professionals such as the school psychologist and special education teachers to assure that I am providing appropriate instructional and behavioral supports.

Elizabeth further reflects, "Ever since I was little, I wanted to be a teacher. When I imagined myself as a teacher, I thought about helping students who needed me the most. I really feel most like a teacher when students who have difficulty learning make progress. I like that my classroom includes students with a range of disabilities. We all learn what we can do well and

CHAPTER OUTLINE

Interview: Elizabeth Diller
Early and Recent Foundations of
Special Education

Early Influences
Recent Influences
IDEIA and the Vocational
Rehabilitation Act
Provisions and Guidelines for
Implementing IDEIA
Provisions of the Vocational
Rehabilitation Act
Continuum of Educational
Services: Concept of Least
Restrictive Environment
The Individualized Education
Program (IEP)

Responsibilities of Classroom Teachers

Participating in the Referral and Planning Process Adapting Instruction

No Child Left Behind Act, Expanding IDEIA, and Inclusion

Testing Accommodations for Students with Disabilities Expanding the Impact of the IDEIA

Inclusion

Accessing Information About Students

Inclusion Issues

Summary Think and Apply 4

what we need help with, and we always know that there are classmates there to support us."

Introduction

Elizabeth's account reflects the views of this book. We recognize that teachers make a difference; that we must teach purposefully to empower all of our students to learn; that even small steps matter; and that if we set ambitious goals, provide research-based instruction, and monitor students' progress, we can ensure success for all learners in our classroom. The aim of this book is to offer you the knowledge, tools, and strategies that will empower you as a classroom teacher to skillfully, confidently, and successfully promote learning for all your students. This book takes a cross-categorical approach—that is, accommodations for exceptional learners are discussed in terms of their shared needs rather than in terms of their identification as members of a disability category. This helps you make instructional and behavioral decisions that benefit the majority of students with special needs.

The basic knowledge you need includes an understanding of the laws and procedures that govern special education and inclusion. This is where we begin.

1.1 EARLY AND RECENT FOUNDATIONS OF SPECIAL EDUCATION

Before the 1950s, many students with disabilities were excluded from attending public schools. Although children with more severe disabilities were forced either to stay home or to be institutionalized, students with mild or moderate learning problems often dropped out of school long before graduating (Pardini, 2002). Interestingly, students with disabilities continue to have a dropout rate that is twice as large as their peers without disabilities (Chapman, Laird, & KewalRamani, 2011). It may be difficult for you to imagine, but as recently as 1958, court cases ruled in favor of excluding students with disabilities from a public school education. In *Department of Public Welfare v. Haas* in 1958, the Supreme Court of Illinois maintained that the state's compulsory education laws did not require a "free public education for the 'feebleminded' or to children who were 'mentally deficient' and who, because of their limited intelligence were unable to reap the benefits of a good education" (Yell, 1998, p. 55). Eventually, however, the tide turned in favor of advocating for the education of all students.

1.1.1 Early Influences

Exclusion of students with disabilities from public education would not last forever. A landmark education case paved the way for future legislation that would protect the rights of individuals with disabilities to attend and benefit from public education. In *Brown v. Board of Education* in 1954, the Supreme Court ruled that school segregation by race was not constitutional, even if resources were allotted equally. This was the first time the federal government had advocated for students who experienced inequality and prejudice at school, and it set the path for future legislation for individuals with disabilities. See Figure 1.1 for more examples of court cases that have influenced the education of individuals with disabilities.

The Elementary and Secondary Education Act (ESEA) passed in 1965 initiated the role of the federal government in protecting and providing for students from disadvantaged backgrounds so that they would have equal access to the public education system. For example, one of the ESEA provisions established the free and reduced lunch system because children whose basic needs are not met (e.g., being hungry) are not able to benefit

FIGURE 1.1 Influential court cases

- 1971—Pennsylvania Association for Retarded Children (PARC) v. Commonwealth of Pennsylvania. Challenged the constitutionality of excluding individuals with mental retardation from public education and training. The state was not allowed to "deny to any mentally retarded child access to a free public program of education and training."
- 1972—Mills v. Board of Education of the District of Columbia. Another case in which handicapped children had been excluded from public schools. Similar to the PARC case, this suit required the state to provide "adequate alternative education services" as well as "prior hearing and periodic review of the child's status, progress, and the adequacy of any educational alternative" (348 F. Supp., at 878). In both the PARC and Mills cases, the courts required schools to describe the curricula, objectives, teacher qualifications, and supplemental services that were needed, areas that would later be influential during the drafting of P.L. 94-142.
- 1982—Board of Education of Hendrick Hudson Central School District v. Rowley. Clarified the definition of a free and
 appropriate public education (FAPE). Amy Rowley was a deaf fifth grader who used an FM hearing aid that amplified words
 spoken by her teacher. She was achieving better than the average student in her class and communicated well with her
 peers. Although she may not have been achieving maximally and might have benefited from an interpreter, the court ruled
 that P.L. 94-142 requires states to provide sufficient, but not the best possible, support for students to benefit from a public
 education at a level typical of that of nondisabled peers.
- 1988—Honig v. Doe. Benefited individuals with emotional and/or behavior disorders who have academic and social problems. Ruled that schools could not expel children for behaviors related to their disability.
- 1999—Cedar Rapids v. Garret F. Garret was paralyzed from the neck down in an accident when he was age 4, but his mental
 capacities were unaffected. He required nursing services to attend his regular classes, and the court ruled that under IDEA
 students must be provided with the supplemental services they need to attend school at no extra cost to the parents.
- 2007—Winkelman v. Parma City School District. The Supreme Court decided that parents may pursue IDEA claims on their behalf independent of their child's rights.

fully from instructional programs that are provided. A critical component of the ESEA for individuals with disabilities was the grant program that encouraged states to create and improve programs for students with disabilities. This program was later revised in 1970 as the Education of the Handicapped Act (P.L. 91-230) and continued support for staterun programs for individuals with disabilities, although it did not provide any specific guidelines for how to develop these programs or what they should look like.

For many students with disabilities, the initial goal of special education was to ensure that they were provided an opportunity to attend school and profit from education. Not until the passage of P.L. 94-142 in 1975 were schools required to ensure that all children, regardless of their disability, receive a free and appropriate public education. For students with learning disabilities, most of whom were already provided education within the general education system, their special needs would now be identified and they would be provided with a special education.

Initially, defining and providing a special education for students with disabilities were challenges for educators. Little was known about what an effective educational program for students with disabilities should look like. Many classroom teachers perceived that they did not have the knowledge or skills to provide these students with an appropriate education. We have made extraordinary progress in the last few decades and yet we continue to realize that many students with disabilities are not accessing the quality education they need (Vaughn, Zumeta, Wanzek, Cook, & Klingner, 2014).

1.1.2 Recent Influences

The Every Student Succeeds Act (ESSA) was signed by President Obama in December 2015 as a commitment to equal opportunity for all students. ESSA replace the No Child Left Behind Act (NCLB) that was enacted in 2002. ESSA includes many of the components of NCLB but provides additional opportunities for schools when students are not making adequate progress. Both are bi-partisan bills with a focus on improving educational outcomes for all students including students who have traditionally demonstrated low performance in academic areas. ESSA shifts students accountability from the federal government to state and local control where progress is monitored and sanctions determined. NCLB was enacted to provide a framework "on how to improve the

performance of America's elementary and secondary schools while at the same time ensuring that no child is trapped in a failing school" (U.S. Department of Education, 2002b, p. 1). NCLB covers a wide range of areas, from improving teacher quality and supporting instruction for English language learners (ELLs) to efforts to keep schools safe and drug free. Following are the three areas of education that have been affected by NCLB:

- · Increased accountability. In perhaps the cornerstone of NCLB legislation, students are required to take statewide assessments (e.g., tests) that are aligned with curriculum accountability standards (e.g., state-identified grade-level learning expectations in key curriculum areas such as reading and math). Furthermore, school districts are expected to make adequate yearly progress (AYP) in the areas that are tested. Adequate yearly progress is the amount of gain the school district negotiates with the state that it will make for students who are behind. It is the way the school district can determine whether it is closing the gap between students' current performance and their expected performance at that grade level. Unique to this legislation is the distinction that all students should be included and make adequate yearly progress in these high-stakes assessments, regardless of disability, socioeconomic status, language background, and race or ethnicity. Schools that fail to make adequate progress toward proficiency goals are subject to improvement and restructuring efforts as needed to assist them in meeting state standards. Students with disabilities and special education teachers are influenced by this increased accountability, as most students with disabilities will conform to these increased high expectations for performance on outcome assessments.
- School choice. Parents whose children attend schools that do not meet state accountability standards are given the opportunity to send their children to schools with higher performance records. Furthermore, there is more flexibility in how Title I funds (special funds allotted to schools with a large proportion of low-income families) are used, as well as support for charter schools (schools that develop proposals to use state funds but have independence from the local school district) that provide parents with additional educational options for their children. Critics of school choice raise the concern that charter schools might exclude students with special needs or allow all students to attend without providing the necessary services and resources that would help them succeed (Howe & Welner, 2002).
- Greater flexibility for states, school districts, and schools. A goal of NCLB is to provide
 states with greater flexibility in how they choose to use federal education funds
 (including providing a variety of state grant options in areas such as teacher quality,
 educational technology, and reading) as long as they demonstrate high standards of
 accountability.

Since it has been more than a decade since NCLB was passed into legislation, it is very likely that a revised version of NCLB will appear in the near future. Secretary of Education Arne Duncan provided a press release on the NCLB revision process (press@ed.gov; April 16, 2015) stating that he thought the following ideas were critical:

- · Expand access to high-quality preschool
- · Invest in innovation and scaling what works
- Assist all students in succeeding (including those with disabilities)
- Provide communities with the information they need to know if students are falling behind in school

1.1.3 IDEIA and the Vocational Rehabilitation Act

Legislation for individuals with disabilities has provided them with education, employment, housing, and other rights that they previously were denied because of their disabilities. You can imagine how important the following two landmark pieces of legislation have been. The Individuals with Disabilities Education Act (IDEA),

P.L. (Public Law) 94-142, and the Vocational Rehabilitation Act, P.L. 93-112, have significantly improved the opportunities for individuals with disabilities.

P.L. 94-142, originally referred to as the Education for All Handicapped Children Act, was enacted in 1975, later reauthorized and expanded as the Individuals with Disabilities Education Act (IDEA) in 1990, and most amended by the Individuals with Disabilities Education Improvement Act (IDEIA) in 2004 (with regulations published in August 2006 for school age youngsters) and in 2011 for babies and toddlers. We do not expect significant changes in the law before 2017. This legislation was designed to ensure that all children with disabilities receive an appropriate education through special education and related services. Figure 1.2 provides a summary of the history of laws governing special education.

1.1.4 Provisions and Guidelines for Implementing IDEIA

To ensure that the provisions of this legislation are adhered to, teachers must understand the basic premises that are at its foundation. The following primary provisions and guidelines characterize what schools and teachers must know and do (Turnbull, Stowe, & Huerta, 2008):

- Zero reject/free, appropriate public education. No child with disabilities can be excluded
 from education. This is commonly referred to as zero reject. Mandatory legislation provides that all children with disabilities be given a free, appropriate public
 education. Before IDEIA, school officials who felt that they were not equipped to
 address the special needs of particular students would not accept such students into
 their schools.
- Child Find. States are required to identify and track the number of students with disabilities and to plan for their educational needs. This is commonly called Child Find.
- Age. The law defines the ages that individuals with disabilities must be educated. IDEIA provides for special programs and services for all students with disabilities between the ages of 3 and 21. Infants and toddlers with developmental delays (birth to 2 years of age) are also eligible to receive early intervention services.
- Nondiscriminatory evaluation. A nondiscriminatory evaluation—an evaluation that
 does not discriminate on the basis of language, culture, and student background—
 must be provided for each individual identified for special education.
- Individualized education program. An individualized education program (IEP)—a
 plan developed to meet the special learning needs of each student with disabilities—
 must be written, implemented, and reviewed.
- Least restrictive environment. IDEIA defines the educational settings in which students are placed. The least restrictive environment is the setting most like that of students without disabilities that also meets each child's educational needs. Inherent in the least restrictive environment is the notion of continuum of services. Continuum of services means that a full range of service options for students with disabilities will be provided by the school system. These service options include self-contained classrooms, resource rooms, and homebound and general education programs.
- Due process. Due process not only ensures that everyone with a stake in the student's educational success has a voice, but also addresses written notification to parents for referral and testing for special education, parental consent, and guidelines for appeals and record keeping. IDEIA guarantees the right to an impartial hearing if appropriate procedures outlined by IDEIA are not followed and parents or schools believe that programs do not meet the student's educational needs.
- Confidentiality of records. IDEIA requires confidentiality of records. All records and
 documents regarding students with disabilities must remain both confidential and
 accessible to parents.

FIGURE 1.2 History of the federal laws for the education of learners who are exceptional

1965	Elementary and Secondary Education Act (ESEA) (Public Law 89-10) • Supports many initiatives that help low-income families access high-quality education programs • Includes provisions for free and reduced lunches and additional teachers in disadvantaged communities • Applies to children who need additional support to benefit from public school education programs
1973	Vocational Rehabilitation Act (VRA) (Public Law 93-112, Section 504) • Defines handicapped person • Defines appropriate education • Prohibits discrimination against students with disabilities in federally funded programs
1974	Educational Amendments Act (Public Law 93-380) • Grants federal funds to states for programming for exceptional learners • Provides the first federal funding of state programs for students who are gifted and talented • Grants students and families the right of due process in special education placement
1975	Education for All Handicapped Children Act (EAHCA) (Public Law 94-142, Part B) • Known as the Mainstreaming Law • Requires states to provide a free and appropriate public education for children with disabilities (ages 5 to 18) • Requires individualized education programs (IEPs) • First defined least restrictive environment
1986	Education of the Handicapped Act Amendments (Public Law 99-457) Requires states to extend free and appropriate education to children with disabilities (ages 3 to 5) Establishes early intervention programs for infants and toddlers with disabilities (ages birth to 2 years)
1990	Americans with Disabilities Act (ADA) (Public Law 101-336) • Prohibits discrimination against people with disabilities in the private sector • Protects equal opportunity to employment and public services, accommodations, transportation, and telecommunications • Defines disability to include people with AIDS
1990	Individuals with Disabilities Education Act (IDEA) (Public Law 101-476) Renames and replaces P.L. 94-142 (EAHCA) Establishes "people-first" language for referring to people with disabilities Extends special education services to include social work, assistive technology, and rehabilitation services Extends provisions for due process and confidentiality for students and parents Adds two new categories of disability: autism and traumatic brain injury Requires states to provide bilingual education programs for students with disabilities Requires states to educate students with disabilities for transition to employment, and to provide transition services Requires the development of individualized transition programs for students with disabilities by the time they reach the age of 16
1997	 Individuals with Disabilities Education Act (IDEA) (Public Law 105-17) Requires that all students with disabilities continue to receive services, even if they have been expelled from school Allows states to extend their use of the developmental delay category for students through age 9 Requires schools to assume greater responsibility for ensuring that students with disabilities have access to the general education curriculum Allows special education staff who are working in mainstream classrooms to assist general education students when needed Requires a general education teacher to be a member of the IEP team Requires students with disabilities to take part in statewide and districtwide assessments Requires states to offer mediation as a voluntary option to parents and educators to resolve differences Requires a proactive behavior management plan to be included in the student's IEP if a student with disabilities has behavior problems Limits the conditions under which attorneys can collect fees under IDEA
2004	 Individuals with Disabilities Education Improvement Act (IDEIA) (Public Law 108-446) Allows districts to use a response-to-intervention (RTI) model for determining whether a child has a specific learning disability, and no longer requires that a child have a severe discrepancy between achievement and intellectual ability to qualify (RTI is described in more detail later in this chapter) Increases federal funds to provide early intervention services to students who do not need special education or related services Eliminates use of short-term objectives in an IEP except for students who do not take statewide achievement assessments Raises standards for special education licensure Adopts policies designed to prevent the disproportionate representation of students in special education by race and ethnicity

- *Advocacy.* IDEIA requires **advocacy** for students without guardians. Advocates are assigned for individuals with disabilities who lack known parents or guardians.
- Noncompliance. IDEIA requires that states mandate consequences for noncompliance with the law.
- Parent participation. Parent participation and shared decision making must be included in all aspects of identification and evaluation of students with disabilities.

Teachers may wonder what some of the guidelines are that pertain to all educational settings. The following guidelines were developed by the U.S. Department of Education after the Individuals with Disabilities Education Improvement Act (2004) was passed to provide this information to school personnel. Critical guidelines include:

- Using person-first language. In other words, do not define a child by his or her disability. For example, say "students with learning disabilities" rather than "learning-disabled students" or "students with autism" rather than "autistic students."
- Requiring that **transition services** be included in the individualized education programs of all students by at least age 16. Transition services refers to providing activities on behalf of the student with the disability that promote an outcome-oriented process of supports from school to postsecondary activities that include further schooling, vocational training, and integrated employment.
- Providing for states, as well as school districts, to be sued if they violate the IDEIA.
- Including two new special education categories: traumatic brain injury and autism.
- Adding assistive technology as a support service.
- Promoting the involvement of students with disabilities in the general education curriculum.
- Requiring greater accountability for results so that students with disabilities are part of the accountability system.
- Requiring that the IEP not only describe the extent to which a student will be integrated, but also detail the aids and accommodations the student will receive within the general education classroom.
- Allowing states and local districts to use "developmental delay" eligibility criteria through age 9 instead of one of the specific disability categories so that students will not be classified too early.
- Providing further flexibility by allowing IDEIA-funded staff who work with students with disabilities in general education classrooms to work with others who need their help as well.
- Requiring states to include students with disabilities in assessments, and to provide appropriate modifications and develop alternative assessments for the small number of students who cannot participate in regular assessments.

In addition to these provisions and guidelines, the U.S. Department of Education (n.d.) maps out key features of the IDEIA that shape how the provisions and guidelines are implemented:

- Evidence-Based Practice: One of the significant requirements when Congress reauthorized IDEA in 2004 was the stipulation that students with disabilities receive services based on knowledge and practice from research—to the extent possible. Students with disabilities are vulnerable to receiving risky practices. Establishing research as the baseline for decision making for individuals with disabilities is a valuable guide.
- Discipline: The IDEIA allows schools to remove students with disabilities for serious bodily injury and adds new authority to consider discipline on a case-bycase basis.
- Response to Intervention: Schools must permit the use of alternative research-based
 procedures for determining whether a student has a severe learning disability and
 must not require use of a severe discrepancy.